

PROB. 12B
(7/93)

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

United States District Court

for the

DISTRICT OF HAWAII

FEB 21 2007
at 11 o'clock and 40 min. A.M.
SUE BEITIA, CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: IN SING CHOY

Case Number: CR 00-00215DAE-14

Name of Sentencing Judicial Officer: The Honorable David Alan Ezra
U.S. District Judge

Date of Original Sentence: 2/23/2004

Original Offense: Conducting an Illegal Gambling Business, in violation of 18 U.S.C.
§§ 1955 and 2, a Class D felony

Original Sentence: Three (3) years probation with the following special conditions:
1) That the defendant provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office; and
2) Defendant is prohibited from participating in any form of gambling, being in the presence of any illegal or legal gambling; frequenting any business, residence, or area where any gambling activities have occurred or are presently occurring; and associating with any persons engaged in gambling or any known gamblers.

Modified Sentence: On 11/9/2006, the subject's conditions of probation were modified to include the following special condition:

3) That the defendant perform thirty (30) hours of community service, as directed by the Probation Office.

Type of Supervision: Probation

Date Supervision Commenced: 2/23/2004

PETITIONING THE COURT

[X] To extend the term of supervision for 1 month, for a total term of 37 months.

CAUSE

The Court was previously notified that the subject was arrested on 9/28/2006 for Prostitution in Honolulu, Hawaii. According to the police report, the subject propositioned an undercover police officer for sexual intercourse and oral sex in exchange for \$120. This case is pending further Court proceedings, in April 2007.

Based on the subject's arrest, the Court modified his conditions of probation ordering that he complete thirty (30) hours of community service. Thereafter, the subject was referred to the Adult/Juvenile Community Service and Restitution Unit (A/JCSRU) for community service placement. However, because of the subject's age and numerous health problems, the A/JCSRU was unable to place him at a community service site until 2/15/2007. To this date, the subject has completed fourteen (14) hours of community service. The subject agreed to an extension of supervision in order to complete his community service work. It is respectfully recommended that the Court extend the subject's term of probation by one (1) month.

Attached is a signed Waiver of Hearing to Extend Term of Supervision. The subject waives his right to a hearing and to assistance of counsel. The subject's attorney and the U.S. Attorney's Office have been notified of the proposed extension and have no objections to the extension.

Respectfully submitted by,



ALYSA K. MAKAHANALOA
U.S. Probation Officer Assistant

Approved by:



TIMOTHY M. JENKINS
Supervising U.S. Probation Officer


Date: 2/21/2007

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THE COURT ORDERS:

- ☒ The Extension of Supervision as Noted Above
☐ Other



DAVID ALAN EZRA
U.S. District Judge

2/21/07

Date

PROB 49
(5/96)

United States District Court

District of Hawaii


Waiver of Hearing to Modify Conditions of Probation/ Supervised Release and/or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release and/or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

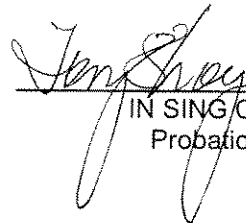
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release and/or to the proposed extension of my term of supervision:

[X] To extend the term of supervision for 1 month, for a total term of 37 months.

Witness:


ALYSA K. MAKAHANALOA
U.S. Probation Officer Assistant

Signed:


IN SING CHOY
Probationer

2/20/07
Date